

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION**

**UNITED STATES OF AMERICA)
)
v.)
)
MARIA ISABEL SAMMUR)**

Case No. 1:07-CR-00326-WC

UNOPPOSED MOTION TO CONTINUE TRIAL

Comes now the United States of America, by and through Leura G. Canary, United States Attorney for the Middle District of Alabama, and moves the Court to continue the trial of the above styled case scheduled for the September 22, 2008 misdemeanor docket, and as grounds would show unto the Court the following:

1. Ms. Sammур submitted a request for pre-trial diversion on August 18, 2008.
2. The request for pre-trial diversion was forwarded to the United States Attorney's office on August 21, 2008, and is pending signature approval.
3. Counsel for Ms. Sammур has been contacted and has no objection to a continuance in this case.
4. While requests for a continuance are addressed to the sound discretion of the trial court, *United States v. Darby*, 744 F.2d 1508, 1521 (11th Cir. 1984), *reh'g denied* 749 F.2d 733, *cert. denied*, 471 U.S. 1100 (1985), undersigned counsel feels that, in this case, because prosecution may be deferred/diverted if pretrial diversion is granted, it is in the interest of justice to continue the trial in this matter so as to allow Ms. Sammур the opportunity to pursue diversion. 18 U.S.C. §§ 3161(h)(2) and 3161(h)(8)(B)(I).

WHEREFORE, premises considered, the United States respectfully requests that this Honorable Court continue the trial in the above-styled case.

Respectfully submitted this the 22nd day of August, 2008.

LEURA GARRETT CANARY
UNITED STATES ATTORNEY

/s/ Emily M. Ruisanchez
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CERTIFICATE OF SERVICE

I hereby certify that on August 22, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following: Aylia McKee, Attorney for Ms. Maria Isabel Sammum.

Respectfully submitted,

LEURA GARRETT CANARY
UNITED STATES ATTORNEY

/s/ Emily M. Ruisanchez
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